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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/445,769	04/19/2000	DO-HYOUNG KIM	Q57164	1355

7590 06/22/2005  
SUGHRUE MION ZINN MACPEAK & SEAS  
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WASHINGTON, DC 20037-3202

EXAMINER

PEYTON, TAMMARA R

ART UNIT PAPER NUMBER

2182

DATE MAILED: 06/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/445,769

Applicant(s)

KIM, DO-HYOUNG

Examiner

Tammara R Peyton

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 June 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Mano et al.*, (US 5,793,366) in view of *Lawande et al.*, (U.S. 6,405,247). Applicant's arguments are not persuasive based on the following rejections.

#### ***Response to Applicant's Arguments***

As to claims 1, 4-7, 12, and 15, Applicant argues that *Mano* does not teach a method for displaying changes in operation states of network devices. *Mano* teaches a computer network with GUI that displays animated images representing devices coupled to a bus structure. No wherein the claim language does it define what consist of a change of an "operation state" for a network device. Therefore, Examiner is taking the consists the GUI of *Mano* will recognize signals from the various digital devices referring to a change in the operation state of at least one digital device, wherein the change of operational state may be that the network device is currently in an 'on' position which is clearly displayed on the GUI thereby displaying a change in the operation state of the network device.

Applicant argues that *Mano* does not teach or suggest at least receiving a predetermined signal that indicates change in the operation states of the server devices

from the server devices by the client device and displaying the change in the operation state of a specific server device on a screen.

Mano teaches a (predetermined) signal that indicates a change in the operation state of a server device. Mano teaches using a computer system, which may include a television or monitor which displays the operational states of server devices on the system. For example, in one embodiment the server device is a printer connected to the system network. When a user selects a print operation from a camcorder to the printer an animated stream is shown on the display device showing the operational state of the printer. The printer would have to send a signal to the display device, i.e. computer system, informing the display device of the print action, because how else would the display device know when to begin the animated stream, and subsequently discontinue the animated stream at the conclusion of the print operation, if a signal is not returned to the display device at the start (and end) of the print operation from the printer? Mano does not clearly disclose a type of signal, but one of ordinary skill would readily recognize that a print operation signal sent to the display device would be distinguishable from other types of operational signals. (col. 6, lines 32-47) The Office is taking the position that Mano's server device(s) would have to return a distinguishable signal that would indicate an operational state(s) of the server device(s) in order for the display device to begin and end an animated stream showing a current operational state of the service device(s).

As to applicant's arguments that Lawande does not teach the use of client devices, *Lawande* teaches a method and apparatus for operating the Internet protocol over a high-speed serial bus (IEEE 1394) so as to allow different *nodes* to be inserted or removed from the network without disturbing the on-going traffic on the system (col. 16, lines 8-38). It would be apparent to one of ordinary skill at the time the invention was made that the term *nodes* is a broad term that would encompass client nodes or server nodes, etc. as long as it relates to computer/network related systems. "The conclusion of obviousness may be made from common knowledge and common sense of a person of ordinary skill in the art without any specific hint or suggestion in a particular reference." *In re Bozek*, 416 F.2d 1385, 163 USPQ 545 (CCPA 1969).

As to claims 2 and 13, applicant's argues that Mano does not teach polling for server devices. Examiner agrees that Mano does not expressly uses the term polling. However, Mano's system teaches discovering that a device is connected via receiving a signal after the device is "hot plugged" (plug and play type detection) to the serial bus network. It would have been apparent to one of ordinary skill at the time the invention was made that polling procedures may be contained in Mano's operational software which polls components that are hot-plugged into the serial bus network. Mano does not need to expressly use the term polling in the disclosure since one skilled in the art is presumed to know something about the art apart from what the references literally disclose. (see *In re Jacoby*, 309 F.2d 513, 135 USPQ 317 (CCPA 1962)).

As per claim 3 and 14, *Mano* teaches of the client device establishing the communication channel with respect to the server device. However, *Mano* does not teach the use of a Java applet. Nonetheless, it would have been obvious to one of ordinary skill that Java applet applications are well known in the art. Further, *Mano* teaches of using GUIs that provides real-time displays of animated images representing devices coupled to a bus structure. Therefore, *Mano* would have been motivated to implement Java applets into the GUI in order to expand the flexibility of *Mano*'s real-time displays of devices coupled to the bus structure.

As per claims 8 -11, *Mano* teaches wherein said operation states comprise at least one play, tray-open, pause, and stop.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tammara Peyton whose telephone number is (571) 272-4157. The examiner can normally be reached between 6:30 - 4:00 from Monday to Thursday, (I am off every first Friday), and 6:30-3:00 every second Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin, can be reached on (571) 272-4156. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3718. Any inquiry of a general nature of relating to the status of this application

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should be directed to the Group receptionist whose telephone number is (571) 272-2100.

Mailed responses to this action should be sent to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231.

Faxes for Official/formal (After Final) communications or for informal or draft communications (please label "PROPOSED" or "DRAFT") sent to:

(703) 872-9306

Hand-delivered responses should be brought to:

USTPO, 2011 South Clark Place, Customer Window

Crystal Plaza Two, Lobby Room 1B03, Arlington, VA, 22202Crystal Park II, 2121.

A handwritten signature in black ink, appearing to read 'Tammara Peyton', with a stylized, flowing script.

Tammara Peyton

June 17, 2005